101-581

Public Law 101-581
101st Congress

An Act

To amend title 11 of the United States Code with respect to the nondischargeability of debts arising from unlawful driving while intoxicated or impaired and arising from restitution imposed for committing crimes.

Nov. 15, 1990
[S. 1931]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Criminal Victims Protection Act of 1990.
11 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Victims Protection Act of 1990".

SEC. 2. NONDISCHARGEABILITY OF CERTAIN DEBTS ARISING FROM UNLAWFUL DRIVING WHILE INTOXICATED OR IMPAIRED.

(a) AMENDMENT TO CHAPTER 5.—Section 523(a)(9) of title 11, United States Code, is amended to read as follows:

"(9) for death or personal injury caused by the debtor's operation of a motor vehicle if such operation was unlawful because the debtor was intoxicated from using alcohol, a drug, or another substance; or".

(b) AMENDMENT TO CHAPTER 13.—Section 1328(a)(2) of title 11, United States Code, is amended by inserting "or 523(a)(9)" after "523(a)(5)".

SEC. 3. NONDISCHARGEABILITY OF CERTAIN DEBTS FOR RESTITUTION IMPOSED FOR COMMITTING CRIMES.

Section 1328(a) of title 11, United States Code, is amended—

(1) in paragraph (1) by striking "or" at the end,

(2) in paragraph (2) by striking the period at the end and inserting "; or", and

(3) by adding at the end the following:

"(3) for restitution included in a sentence on the debtor's conviction of a crime.".

SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

11 USC 523 note.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

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(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall not apply with respect to cases commenced under title 11 of the United States Code before the date of the enactment of this Act.

Approved November 15, 1990.

LEGISLATIVE HISTORY—S. 1931:

SENATE REPORTS: No. 101-434 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 136 (1990):
Sept. 18, considered and passed Senate.
Oct. 26, considered and passed House, amended.
Oct. 27, Senate concurred in House amendments.

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